## **United States Department of Labor Employees' Compensation Appeals Board**

E.G., Appellant	)	
and	)	Docket No. 15-0736 Issued: July 29, 2015
DEPARTMENT OF THE NAVY, PUGET SOUND NAVAL SHIPYARD, Bremerton, WA, Employer	)	155ucu. July 27, 2013
Appearances: Appellant, pro se Office of Solicitor, for the Director	ŕ	Case Submitted on the Record

ORDER REMANDING CASE

## Before:

CHRISTOPHER J. GODFREY, Chief Judge PATRICIA H. FITZGERALD, Deputy Chief Judge COLLEEN DUFFY KIKO, Judge

On February 2, 2015 appellant filed an application for review of a January 2, 2015 decision of the Office of Workers' Compensation Programs (OWCP), adjudicating his hearing loss claim in OWCP claim number xxxxxxx831. In the decision, OWCP denied appellant's claim for bilateral hearing loss finding that the condition was not causally related to factors of his federal employment. The appeal was docketed as No. 15-736.

The Board has duly considered the matter and finds that the case is not in posture for a decision. The instant claim, number xxxxxx831, involves a hearing loss claim that appellant filed on July 22, 2014, after he retired from the employing establishment effective July 3, 2014. The record indicates that appellant has two prior claims for employment-related hearing loss. Claim number xxxxxx660 was accepted for hearing loss. Claim number xxxxxx744 was also accepted for binaural hearing loss and, on June 13, 1995, OWCP granted appellant a schedule award for 50 percent binaural hearing loss. OWCP administratively combined claim number xxxxxx744 with the instant claim, into master claim number xxxxxx831. However, the record before the Board does not contain claim number xxxxxxx660. As claim number xxxxxxx660

<sup>&</sup>lt;sup>1</sup> This claim file is not presently before the Board. It is not clear if the acceptance in claim number xxxxxx660 was for hearing loss in one or both ears, or if appellant received a schedule award under this claim.

involves the same occupational disease, hearing loss, evidence contained therein will necessarily bear directly on appellant's claim in this case. Furthermore, OWCP's January 2, 2015 decision, which found that appellant's hearing loss was not employment related, did not acknowledge that it had previously accepted the same condition in the two other claims. It is important for OWCP to fully consolidate the claims to ensure that all germane evidence is properly considered and that appropriate findings of fact are made. Accordingly, for a full and fair adjudication, all OWCP claims pertaining to appellant's hearing loss should be combined.

The Board will remand the case to OWCP to combine claim number xxxxxx660 with master claim number xxxxxx831. Following this and such other development as deemed necessary, OWCP shall issue an appropriate merit decision on appellant's claim.

**IT IS HEREBY ORDERED THAT** the January 2, 2014 decision of the Office of Workers' Compensation Programs is set aside and the case record remanded for further action consistent with this order of the Board.

Issued: July 29, 2015 Washington, DC

> Christopher J. Godfrey, Chief Judge Employees' Compensation Appeals Board

> Patricia H. Fitzgerald, Deputy Chief Judge Employees' Compensation Appeals Board

> Colleen Duffy Kiko, Judge Employees' Compensation Appeals Board

<sup>&</sup>lt;sup>2</sup> See K.A., Docket No. 13-207 (issued April 12, 2013).

<sup>&</sup>lt;sup>3</sup> R.A., Docket No. 14-1828 (issued February 25, 2015). See Federal (FECA) Procedure Manual, Part 2 -- Claims, File Maintenance and Management, Chapter 2.400.8(c) (February 2000) (cases should be doubled when correct adjudication of the issues depends on frequent cross-reference between files such as where a new injury case is reported for an employee who previously filed an injury claim for a similar condition or the same part of the body).